

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

PRECISION ASSOCIATES, INC.; JAMES
BARNES; and ANYTHING GOES LLC
d/b/a MAIL BOXES ETC., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

PANALPINA WORLD TRANSPORT
(HOLDING) LTD., *et al.*

No. CV 08-0042 (JG)(VPP)

Defendants.

**DECLARATION OF ETHAN E. LITWIN IN FURTHER
SUPPORT OF DEFENDANT EXPEDITORS INTERNATIONAL OF
WASHINGTON, INC.'S MOTION TO DISMISS THE AMENDED COMPLAINT**

I, Ethan E. Litwin, declare as follows:

1. I am a member of Howrey LLP, attorneys for Defendant Expeditors International of Washington, Inc. ("Expeditors") in this action. I am a member of the bar of the State of New York and am admitted to practice before this Court. I make this Declaration in further support of Expeditors' Motion to Dismiss the Amended Complaint. I have personal knowledge of each of the facts stated herein, and if called to testify, could and would testify completely hereto.
2. Attached hereto as Annex A is a true and correct copy of the May 2007 edition of *Global Logistics & Supply Chain Strategies*, which was incorporated into the Amended Complaint at ¶ 114.

I declare under penalty of perjury under the laws of the United States of America
that the foregoing is true and correct.

Dated: March 4, 2010

Respectfully submitted,
HOWREY LLP

A handwritten signature in black ink, appearing to read 'E. Litvin', is written over a horizontal line.

ETHAN E. LITVIN